

AMENDED IN SENATE MAY 21, 2002

AMENDED IN SENATE APRIL 22, 2002

SENATE BILL

No. 1350

Introduced by Senators McPherson and Burton

February 5, 2002

An act to add Section 8588.10 to the Government Code, and to add Section 13519.12 to the Penal Code, relating to emergency services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1350, as amended, McPherson. Emergency services: terrorism.

(1) Existing law creates the Office of Emergency Services in the office of the Governor, with specified powers and duties relative to coordinating emergency services.

This bill would require the Office of Emergency Services to develop specified training relative to terrorism awareness. The bill would also require the Commission on Peace Officer Standards and Training to develop a specified course of instruction on the responsibilities of first responders to terrorism incidents and would require specified local agency and other peace officers to complete the training.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions provide a procedure for paying this reimbursement and require any statute mandating these costs to specify that reimbursement shall be made from the State Mandates Claims Fund for these costs.

This bill would appropriate an unspecified sum to the State Mandates Claims Fund to reimburse local agencies and school districts for costs mandated by the state and incurred by them pursuant to this act.

The bill would condition the implementation of its provisions upon the receipt of federal funding for purposes of the bill.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares the
2 following:

3 (a) In light of recent events, California is among the best
4 prepared states in the United States with regard to potential acts of
5 terrorism. However, additional training is appropriate and
6 necessary to ensure that all potential first responders to a terrorist
7 event and a terrorist attack will be prepared.

8 (b) There are approximately 66,000 sworn and reserve state
9 and local law enforcement officers, 65,000 volunteer and paid
10 state and local firefighters, and 70,500 local emergency medical
11 technicians and paramedics who could benefit from additional
12 first responder training regarding terrorism. Additional public
13 works employees may also be anticipated to benefit from training.

14 (c) The best way to fight terrorism and the damage caused by
15 those acts is to prevent it, while also ensuring that local emergency
16 response personnel, also known as emergency responders, who are
17 often the first persons dispatched during emergency situations, are
18 appropriately trained to deal with the unique aspects of terrorist
19 acts and are able to uphold the highest standards of public safety.

20 (d) Local law enforcement, firefighters, and other local
21 emergency personnel have become extremely adept at doing their
22 jobs in dealing with traditional crime and emergency events, but
23 the emerging threats of terrorism and bioterrorism have created
24 new challenges that must be met to ensure the safety of those
25 personnel and all of the citizens of our state.

26 (e) It is the intent of the Legislature that the training be
27 developed and made available to first responders as quickly as
28 possible.



1 ~~(f) In order to provide an adequate number of professional~~
2 ~~trainers to meet statewide demands in this area at the earliest~~
3 ~~possible time, it would be desirable that the training of those~~
4 ~~trainers be implemented by the administration prior to the~~
5 ~~enactment of this legislation.~~

6 SEC. 2. Section 8588.10 is added to the Government Code, to
7 read:

8 8588.10. (a) The Office of Emergency Services, in
9 consultation with appropriate state and local entities with
10 emergency first responder responsibilities, shall develop terrorism
11 awareness curricula to meet the training needs of state and local
12 emergency response personnel and volunteers. In addition, the
13 Office of Emergency Services shall consult with these state and
14 local stakeholders to identify any additional training that would be
15 useful and appropriate but that may not be generally available in
16 California, and shall make recommendations pertaining to any
17 need for training oversight agencies for first responder disciplines
18 to expedite their curriculum approval processes.

19 (b) Basic terrorism awareness training shall include, but not be
20 limited to, the following:

21 (1) Defining terrorism, including current individuals,
22 organizations, and their capabilities.

23 (2) An overview of conventional, chemical, biological,
24 radiological, and nuclear threats.

25 (3) Threat and hazard recognition, with an emphasis on ability
26 to determine local vulnerabilities and basic intelligence gathering.

27 (4) Understanding the structure and function of an incident
28 command system.

29 (5) Initial response actions, including preliminary assessment,
30 notifications, resource needs, and safety considerations.

31 (6) Coordination with other emergency service first
32 responders.

33 (7) Gathering, verifying, assessing, and communicating
34 incident information.

35 (8) Understanding mass casualty implications and
36 decontamination requirements.

37 (9) Balancing lifesaving activities with evidence preservation.

38 (10) General awareness and additional training for each of the
39 first responder categories specific to each discipline.

1 (c) (1) The Legislature finds and declares that training on
2 terrorism awareness for first responders is of critical importance
3 to the people of California.

4 (2) Every agency responsible for development of terrorism
5 awareness training and every agency that employs or uses
6 volunteers shall give a high priority to the completion of that
7 training. The Office of Emergency Services shall identify those
8 categories of personnel who shall receive that training and shall
9 prioritize training for personnel who are working in areas of the
10 state that are most likely to face terrorist threats of harm, including
11 urban areas and other jurisdictions that contain potential targets,
12 including, but not limited to, seats of government, electrical and
13 nuclear facilities, and other critical state supply programs. In
14 carrying out this section, the Office of Emergency Services shall
15 utilize information provided as part of the United States
16 Department of Justice Office for Domestic Preparedness grant
17 program that will compile a local needs assessment with a state
18 summary due no later than December 15, 2001.

19 SEC. 3. Section 13519.12 is added to the Penal Code, to read:

20 13519.12. (a) The Commission on Peace Officer Standards
21 and Training shall develop a course of instruction on the
22 responsibilities of first responders to terrorism incidents to address
23 the training needs of peace officers at a managerial or supervisory
24 level and below who are assigned to field duties. The training shall
25 be developed in consultation with individuals knowledgeable
26 about terrorism and address current theory, terminology, historical
27 issues, and procedures necessary to appropriately respond to and
28 effectively mitigate the effects of a terrorist incident.

29 (b) The commission shall expedite the delivery of this training
30 to law enforcement through maximum use of its local and regional
31 delivery systems.

32 (c) To maximize the availability and delivery of training, the
33 commission shall develop a course of instruction to train trainers
34 in the presentation of the first responder training to terrorism
35 incidents.

36 (d) Every city police officer, deputy sheriff, and other
37 uniformed peace officer who performs general law enforcement
38 duties at a managerial or supervisory level or below and is assigned
39 to field duties shall complete first responder to terrorism incidents
40 training as described in this section. This training satisfies the

1 requirement for training developed under Section 8588.10 of the
2 Government Code. Pertinent training previously completed by
3 any jurisdiction's law enforcement officers and meeting the
4 training requirements of this section may be submitted to the
5 commission to assess its content and determine whether it meets
6 the training requirements prescribed by the commission.

7 SEC. 4. The sum of ____ dollars (\$____) is hereby
8 appropriated from the General Fund to the State Mandates Claims
9 Fund to reimburse local agencies and school districts pursuant to
10 Part 7 (commencing with Section 17500) of Division 4 of Title 2
11 of the Government Code for costs mandated by the state and
12 incurred by them pursuant to this act.

13 SEC. 5. *Sections 2 to 4, inclusive, of this act shall not be*
14 *implemented until federal funds are received for the purposes of*
15 *this act.*

16 SEC. 6. This act is an urgency statute necessary for the
17 immediate preservation of the public peace, health, or safety
18 within the meaning of Article IV of the Constitution and shall go
19 into immediate effect. The facts constituting the necessity are:

20 In order to ensure adequate funding for essential law
21 enforcement training and emergency personnel to further improve
22 responses to potential and actual acts of terrorism, it is necessary
23 that this act take effect immediately.

